

HOUSE BILL 744

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Joe Mohorovic

AN ACT

RELATING TO TEACHER COMPENSATION; CREATING A TEACHER MERIT PAY PROGRAM; PROVIDING POWERS AND DUTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SHORT TITLE. -- This act may be cited as the "Professional Teacher Merit Pay Act". "

Section 2. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] PURPOSE OF ACT. -- The purpose of the Professional Teacher Merit Pay Act is to reward teachers who demonstrate outstanding teacher practices, resulting in outstanding student academic performances and student

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1 improvement, and to encourage all teachers to excel in their
2 teaching beyond state standards and benchmarks in order to
3 optimally impact students. "

4 Section 3. A new section of the Public School Code is
5 enacted to read:

6 "[NEW MATERIAL] ADMINISTRATION OF THE PROGRAM - ADOPTING
7 RULES. --

8 A. The department of education shall establish a
9 teacher merit pay program.

10 B. The state board shall establish guidelines for
11 the implementation and operation of a teacher merit pay program
12 to provide to teachers merit awards that shall be incorporated
13 into the teacher's base salary in accordance with the
14 provisions of this act.

15 C. The department of education shall provide
16 administrative assistance, meeting space and other necessary
17 facilities and support services as the teacher merit pay
18 committee may request.

19 D. Using the recommendations and advice of the
20 teacher merit pay committee, the state superintendent shall
21 report annually to the legislature and the governor on the
22 effectiveness of the teacher merit pay program, including
23 evaluations, surveys and recommendations of parents and
24 teachers involved in the program and whether the program
25 encourages teachers to excel in their teaching and whether the

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1 program increases student achievement. "

2 Section 4. A new section of the Public School Code is
3 enacted to read:

4 "[NEW MATERIAL] TEACHER MERIT PAY COMMITTEE--DUTIES--
5 MEMBERSHIP.--

6 A. The "teacher merit pay committee" is created as
7 an advisory committee within the state board, whose duty shall
8 be to advise the state board on all policies, strategies,
9 organizational structures and other matters necessary to
10 establish and implement a teacher merit pay program.

11 B. The teacher merit pay committee shall consist of
12 ten members appointed as follows:

13 (1) two members of the state board's standing
14 committee on accountability, appointed by the president of the
15 state board;

16 (2) one member who represents the business
17 community who is not employed in education, appointed by the
18 governor;

19 (3) one member who represents the business
20 community who is not employed in education, appointed jointly
21 by the president pro tempore of the senate and the speaker of
22 the house of representatives;

23 (4) one member who is a parent of a school-age
24 child who is not employed in education, appointed by the
25 governor;

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(5) one member who is a parent of a school-age child who is not employed in education, appointed jointly by the president pro tempore of the senate and the speaker of the house of representatives;

(6) two members who are certified school instructors, one of whom shall be a member of either the New Mexico national education association or the federation of education employees, appointed by the governor; and

(7) two members who are certified school instructors, one of whom shall be a member of either the New Mexico national education association or the federation of education employees, appointed jointly by the president pro tempore of the senate and the speaker of the house of representatives.

C. The remaining members of the state board's standing committee on accountability who are not already appointed may serve as advisory members to the teacher merit pay committee.

D. The teacher merit pay committee shall meet at the call of the chairman and shall meet not less than monthly. The chairman shall be elected from among the members of the committee.

E. Members of the teacher merit pay committee shall receive per diem and mileage as provided in the Per Diem and Mileage Act. "

1 Section 5. A new section of the Public School Code is
2 enacted to read:

3 "[NEW MATERIAL] EVALUATION REPORT--STUDENT ACHIEVEMENT
4 REPORT. --

5 A. The teacher merit pay committee shall advise the
6 state board on the design of a standardized teacher evaluation
7 report and student achievement report that shall be used to
8 determine the basis of merit awards in accordance with the
9 provisions of this act.

10 B. The teacher evaluation report shall include a
11 self, peer and supervisor evaluation component. The self
12 evaluation shall be provided by the teacher who is eligible for
13 a merit award. The peer evaluation shall be provided by an
14 associate of the teacher who is eligible for the merit award
15 and who instructs at the same grade level for elementary
16 schools or in the same subject area for middle and secondary
17 schools. The supervisor's evaluation shall be completed by a
18 supervisor of the teacher who is eligible for the merit award.
19 The state board may determine specific evaluation standards for
20 measurement in the teacher evaluation report, including whether
21 the teacher:

- 22 (1) demonstrates substantial content knowledge
23 of his instructional subject matter;
24 (2) demonstrates a professional practice of
25 teaching;

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1 (3) understands student cognitive learning
2 processes;

3 (4) uses effective curriculum and
4 instructional strategies; and

5 (5) uses successful classroom strategies.

6 C. The student achievement report shall measure
7 student achievement through various student academic
8 performance measures, including:

9 (1) standardized norm-referenced assessments;

10 (2) criterion-referenced assessments; and

11 (3) other standards determined by the state
12 board. "

13 Section 6. A new section of the Public School Code is
14 enacted to read:

15 "[NEW MATERIAL] SALARY INCREASES. --The state board, with
16 the advice of the teacher merit pay committee, shall determine
17 base salary merit pay increases for teachers pursuant to the
18 Professional Teacher Merit Pay Act. In determining merit pay,
19 the state board shall use the teacher evaluation report and the
20 student achievement report to determine whether a teacher is
21 "superior", "outstanding" or "exceeds proficient". A teacher
22 who is determined:

23 A. "superior" shall receive up to a five percent
24 base salary increase;

25 B. "outstanding" shall receive up to a four percent

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1 base salary increase; and

2 C. "exceeds proficient" shall receive up to a three
3 percent base salary increase."

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